

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

D-1 James Letko,

Defendant,

Case No. 19-cr-20652

Honorable David M. Lawson

**Unopposed Application Seeking Entry of First Amended
Preliminary Order of Forfeiture and Final Order of Forfeiture**

The United States applies to this Court for a First Amended Preliminary Order of Forfeiture and Final Order of Forfeiture, and sets forth the following in support:

The Court entered a Preliminary Order of Forfeiture (ECF No. 241) on January 10, 2023 that forfeited all of the defendant's rights, title, and interest, in various assets to the United States, including, but not limited to, the following "Subject Property":

- \$125,865.07 in funds from account number 1501736011 at Signature Bank, New York City, NY;
- \$97,539.03 in funds from account number 1501253045 at Signature Bank, New York City, NY;
- \$24,668.04 in funds from account number 1501955147 at Signature Bank, New York City, NY;
- \$421,259.26 in funds from account number 1501736003 at Signature Bank, New York City, NY; and
- \$48,745.36 in funds from account number 1502533157 at Signature Bank, New York City, NY.

On or about March 6, 2023, Jon Letko (“petitioner”) filed a petition to adjudicate his interests the Subject Property (Case No. 23-mc-50301, ECF No. 2).

The period for filing ancillary petitions asserting an interest in the Subject Property has expired.

Other than the petition referenced herein, no other third-party has filed a claim or petition for the Subject Property.

An Order Resolving Ancillary Proceeding and Forfeiting Property to the United States was entered on May 10, 2023, resolving the petitioner’s claim to the Subject Property and closing the ancillary case (Case No. 23-mc-50301, ECF No. 8):

The Order Resolving Ancillary Proceeding and Forfeiting Property to the United States (Case No. 23-mc-50301, ECF No. 8) provides as follows:

1. The following shall be **FORFEITED** to the United States, pursuant to 18 U.S.C. § 982(a)(7), 18 U.S.C. § 981(a)(1)(C), as incorporated by 28 U.S.C. § 2461(c), along with any and all accrued interest:
 - a. \$210,629.63 of the \$421,259.26 in funds from account number 1501736003 at Signature Bank, New York City, NY; and
 - b. \$48,769.52 of the \$97,539.03 in funds from account number 1501253045 at Signature Bank, New York City, NY.

Any right, title or ownership interest possessed by the petitioner and any of his agents, successors and assigns in the forfeited currency, and any right, title or ownership interest of any and all other persons in the forfeited

currency hereby and forever is **EXTINGUISHED**, and clear title to the forfeited currency shall **VEST** in the United States. The United States Marshals Service or its delegate is **AUTHORIZED** to dispose of the forfeited currency according to law.

2. The following property shall be **RETURNED** to the petitioner Jon Letko:

- \$125,865.07 in funds from account number 1501736011 at Signature Bank, New York City, NY;
- \$24,668.04 in funds from account number 1501955147 at Signature Bank, New York City, NY;
- \$48,745.36 in funds from account number 1502533157 at Signature Bank, New York City, NY;
- \$210,629.63 of the \$421,259.26 in funds from account number 1501736003 at Signature Bank, New York City, NY; and
- \$48,769.51 of the \$97,539.03 in funds from account number 1501253045 at Signature Bank, New York City, NY

The currency returned shall be less any debt owed to the United States, any agency of the United States, or any other debt which the United States is authorized to collect from the petitioner, including but not limited to, any debts that the United States may collect from the petitioner through the Treasury Offset Program.

Government counsel sent Defendant's attorneys, Butzel Long, an email copy of this Application and the proposed Amended Order and asked if they had any objection. Butzel Long responded that they have no objection.

Pursuant to information already on the record, and Federal Rules of Criminal

Procedure 32.2(c), the United States respectfully requests that the Court enter the First Amended Preliminary Order of Forfeiture and Final Order of Forfeiture being submitted concurrently with this Application.

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Dated: June 20, 2023

CERTIFICATION OF SERVICE

I hereby certify that on June 20, 2023, the foregoing was electronically filed using the ECF system which will send notification of such filing to all ECF participants.

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